

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICHOLAS KYLE MARTINO,	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO. 23-CV-4757
	:	
UNITED STATES DISTRICT COURT	:	
FOR THE EASTERN DISTRICT	:	
OF PENNSYLVANIA,	:	
Respondent.	:	

ORDER

AND NOW, this 24th day of April, 2024, upon consideration of Petitioner Nicholas Kyle Martino's Motion to Proceed *In Forma Pauperis* (ECF No. 1), and *pro se* Petition for Mandamus pursuant to 28 U.S.C. § 1651 (ECF No. 2) it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Petition for Mandamus is **DEEMED** filed.
3. The Petition for Mandamus is **DISMISSED WITH PREJUDICE** for the reasons in the Court's Memorandum.
4. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.